

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	15-CV-8947 MWF (SK)	Date	June 7, 2016
Title	Derez Darnell Ysaguirre v. W.L. Montgomery		

Present: The Honorable	Steve Kim
Marc Krause	n/a
Deputy Clerk	Court Smart / Recorder
Attorneys Present for Petitioner:	Attorneys Present for Respondent:
None present	None present

**Proceedings:** (IN CHAMBERS) ORDER TO SHOW CAUSE

On March 17, 2016, Respondent filed a notice of motion and motion to dismiss for failure to exhaust habeas claims in state court. (Dkt. 16). Pursuant to the Order Governing Proceedings, any opposition was due on April 17, 2016. (Dkt 6). As of the date of this order, Petitioner has not filed an opposition. “The failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion.” L.R. 7-12.

Accordingly, Petitioner is ORDERED TO SHOW CAUSE on or before **June 21, 2016** why Respondent’s motion should not be granted and this action dismissed. Petitioner may discharge this order by filing an opposition to the motion to dismiss. If Petitioner files an opposition on or before June 21, 2016, Respondent may file an optional reply on or before June 28, 2016, at which time the matter will be taken under submission.

**Petitioner is advised that the failure to file a timely response to this order will result in a recommendation that this action be dismissed for failure to comply with a court order and failure to prosecute.** Fed. R. Civ. P. 41(b); L.R. 41-1. If Petitioner no longer wishes to pursue this action, Petitioner may voluntarily dismiss the action pursuant to Federal Rule of Civil Procedure 41(a) by filing a “Notice of Dismissal,” attached. The Clerk is directed to provide Petitioner with a Notice of Dismissal Form (CV-009).